

MINUTES OF THE REGULAR COUNCIL MEETING

February 10, 2021

At 6:00 P.M. the meeting was called to order by Mayor Mac Pooler.

A roll call of the Council resulted as follows:

Sid Armstrong
Ron Mercado
Terry Douglas
Dennis Norris
Anna Moody
Ron Delcamp present by telephone.

Officers present were:

Mayor Mac Pooler
City Clerk /Treasurer Nila Jurkovich

By Telephone:

Building Official Mark Magnus
Chief of Police David Wuolle
Superintendent of Public Works Craig Lewis
Project Manager Rod Plank
Planning Consultant Collin Coles
Ben Davis, Alta Science & Engineering

Also present: Andy Helkey.

No one else identified themselves when asked by Mayor Pooler.

Councilmember Armstrong led in the Pledge of Allegiance.

ORAL COMMENTS

None.

STAFF REPORTS

All reports were submitted and questions were asked by Council as follows:

Council inquired on the dangerous condition the structure located on McKinley Avenue that was further destroyed by the January 13th windstorm. Building Official Mark Magnus advised the Council that the owner is aware the back wall is dangerous, however his truck broke down. Mayor Pooler would like a letter sent out giving the property owner two weeks to clean it up as it is dangerous. It was the consensus of the Council that pictures to be taken and provide them to the City's attorney.

Mr. Plank advised the Council that AVS is finishing up with the surveillance cameras, and the new council meeting setup should be running for the March council meeting.

CONSENT CALENDAR

1. Approval or correction of the minutes of the January 20, 2021 regular council meeting and the minutes of the January 27, 2021 meeting.
2. Approval of payment of the bills for the month of January 2021 as presented (Proving documents on file in the City Clerk's office)
3. Treasurer's Reports of Income
4. P&Z Commission minutes from January 25, 2021 Meeting – Recommendations:
None.
5. Report of Commissions and Committees: Administrative Minutes from the January 19, 2021 Meeting. Recommendations: Close out account at Washington Federal and invest those funds to LGIP Account with the State of Idaho along with \$1,000,000 from the Columbia State Bank.

It was moved by Councilmember Mercado and seconded by Councilmember Armstrong to approve the Consent Calendar as presented.
Motion carried.

OLD BUSINESS

Ben Davis, Alta Science & Engineering provided the Council with a written update on the following:

Phase 3 Warranty Work Update

Big Sky submitted an invoice for miscellaneous paving for Alta to review. We will review this against the warranty list, but not all of these items should fall under the City's responsibility or financial obligation. Alta will provide the City with a draft letter to be delivered to Big Sky on the City's letterhead.

LHTAC LHSIP Grant Application

Alta prepared and submitted a grant application to the Local Highway Technical Assistance Council (LHTAC) requesting \$30,000 of funds. The funds would be obligated for pedestrian activated crosswalk signs at the Hill St/ City Park crossing as well as flashing stop signs at Hill St. & Railroad Ave. The City match amount is \$2,202. The grant money would be awarded in 2023, if successful.

Update on the Kellogg LOMR Application

Alta will present the initial LOMR flood mapping results on Feb 23rd, 1-2 pm at Panhandle Health District.

Councilmember Mercado would like to get together to discuss the Teeters Field concession stand building, as he would like to get this done. Mayor Pooler advised the Council that a new building can be built on the ground and out of the way of the end zone area and this will eliminate the cost and planning of placement of the concession stand at the top of the bleacher area.

Update on status of COVID-19 and large Activities within the City.

Mr. Andy Helkey provided the Council with a handout showing where the cases are from the last time the Council met on January 20th as follows: Total cases nationally; 27,030,549 up from last month by 2,894,859; total deaths nationally 466,465; up from last month by 66,159; Total cases in Idaho 166,095 up from last month by 8,507. Total deaths in Idaho 1,780 up from last month by 145; Current cases in Shoshone County 982 an increase of 48 from last month's council meeting. Total Deaths in Shoshone 31, up by 1 from last month.

525 people in Shoshone County have received their second vaccination, which is 4% of the population. The full vaccine is seen three weeks after the second dose is administered. Currently the vaccines are opened for those who are 65 and over.

It is looking a whole lot better, however we need to be cautious as we have gone through this before. The numbers level off after a spike. We did not see a Christmas spike and last week cases have picked back up. CDC is cautioning another wave in March. The UK strain is growing and is 45% more contagious.

There were no questions from the Council.

Mayor Pooler advised the Council that there is currently there are three Activity Requests submitted have been placed under New Business for action by the Council.

NEW BUSINESS

Resolution 2021-04 Renewal - Require Face Coverings In Public Places

Mr. Helkey recommended the renewal of the resolution. We are right at the beginning of the flu season and have not seen the flu being an issue as masks are being worn.

A RESOLUTION MANDATING THE REQUIREMENT TO WEAR FACE COVERINGS IN PUBLIC PLACES

WHEREAS, on January 13, 2021, the City Council passed and approved Resolution 2021-01 continuing the requirement for face coverings when members of the public are physically present for otherwise unprotected social interaction;

WHEREAS, Resolution 2021-01 remained in effect until February 14, 2021; and

WHEREAS, there were 163,165 confirmed cases of COVID-19 in Idaho as of February 2, 2021 and 967 confirmed cases of COVID-19 in Shoshone County as of February 2, 2021, as well as the presence of community spread in Idaho and Shoshone County. It is expected that more cases will be diagnosed; and

WHEREAS, decreased transmissibility due to face covering use could substantially reduce the death toll and economic impact while the cost of the intervention is low; and

WHEREAS, pursuant to Ordinance 611, the City Council does declare and issue a Public Health Emergency Order.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KELLOGG, SHOSHONE COUNTY, IDAHO, having duly met on February 10, 2021, at a City Council Meeting, which was properly noticed and open to the public, and having fully considered the matter at hand, that:

SECTION 1. FACE COVERINGS

Every person, shall, when in any indoor or outdoor public place, completely cover their nose and mouth, when members of the public are physically present for otherwise unprotected social interaction.

1. **DEFINITIONS:** For purposes of this Public Health Emergency Order “public place” shall mean any place open to all members of public without specific invitation, including but not necessarily limited to, retail business establishments, government offices, medical, educational, arts and recreational institutions, public transportation, including taxi cabs and ridesharing vehicles. “Members of the public” shall mean persons not therein employed, present without invitation.
2. **EXEMPTIONS:**
 - a. Children under the age of 5.
 - b. Persons who cannot medically tolerate wearing a face covering. A person is not required to provide documentation demonstrating that the person cannot medically tolerate wearing a face covering.
 - c. Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication.
 - d. Persons, including on-duty law-enforcement officers, for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.
 - e. Persons who are obtaining a service involving the nose, face, or head for which temporary removal of the face covering is necessary to perform the service.
 - f. Persons who are eating or drinking at a restaurant or other establishment that offers food or beverage service, so long as the person is able to maintain a distance of 6 feet away from persons who are not members of the same household or party as the person.
 - g. Outdoor public places where a person can employ social distancing as recommended by Panhandle Health District and CDC where the person is able to maintain a distance of 6 feet away from persons who are not members of the same household or party as the person.

- h. Persons who are engaged in indoor exercise, so long as they engage in social distancing.

SECTION 2. PENALTIES

Any person who violates any provisions of this Order, shall be guilty of an infraction, punishable by a fine of \$100.

SECTION 3. EFFECTIVE DATE AND SUNSET DATE

This Emergency Order shall take effect at 12:00 a.m., on February 11, 2021 and shall remain in effect until March 11, 2021 unless extended by the City Council.

PASSED and approved by the City Council of the City of Kellogg this 10th day of February 2021,

ATTEST:

Nila Jurkovich, City
Clerk/Treasurer

APPROVED:

Mac Pooler, Mayor

It was moved by Councilmember Douglas and seconded by Councilmember Norris to approve the resolution as submitted.

A roll call of the Council showed the following:

| | | | |
|-----------------------|-------|-------------------------|-------|
| Councilmember Norris | "Aye" | Councilmember Delcamp | "Nay" |
| Councilmember Moody | "Aye" | Councilmember Armstrong | "Aye" |
| Councilmember Mercado | "Aye" | Councilmember Douglas | "Aye" |

Motion carried.

Resolution to Purchase a Police Vehicle

The City is now purchasing police vehicles every other year instead of every third year and it is working out well. Councilmember Mercado advised the Council there will be additional costs for radio, lights and identification of police vehicle.

RESOLUTION # 2021-05

A RESOLUTION OF THE CITY OF KELLOGG, SHOSHONE COUNTY, STATE OF IDAHO, APPROVING AND AUTHORIZING THE CITY TO PURCHASE A DODGE CHARGER FOR USE BY THE CITY'S POLICE DEPARTMENT

CITY OF KELLOGG

Shoshone County, Idaho

WHEREAS, the City is in need of a Police vehicle;

WHEREAS, Idaho Code 67-2806 permits the City to purchase from qualified vendors supplying Police vehicles where the expenditure is less than \$50,000;

WHEREAS, the City has determined that Dave Smith Motors to be a qualified vendor, and

WHEREAS, the City has sufficient funds to purchase said vehicle.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and the City Council of the City of Kellogg, Idaho, approve the purchase of a 2021 Dodge Charger with VIN 2C3CDXKG8MH519923 from Dave Smith Motors, with a purchase price of \$37,898.97.

BE IT FURTHER RESOLVED, this Resolution shall take effect and be in force from and after its passage and approval.

DATED this 10th day of February, 2021.

Mac Pooler, Mayor

ATTEST:

Nila Jurkovich, Clerk/Treasurer

It was moved by Councilmember Douglas and seconded by Councilmember Moody to pass the resolution as submitted.

A roll call of the Council showed the following:

| | | | |
|-----------------------|-------|-------------------------|-------|
| Councilmember Norris | "Aye" | Councilmember Delcamp | "Aye" |
| Councilmember Moody | "Aye" | Councilmember Armstrong | "Aye" |
| Councilmember Mercado | "Aye" | Councilmember Douglas | "Aye" |

Motion carried.

Preparing to go out to bid for certain maintenance of city streets

Public Works Superintendent Craig Lewis has been in conversations with Ben Davis and discussed the following:

Fog seal: Emerald Drive, Agate, Diamond, Beryl streets, a portion of the bike trail, 4th Street, Upper 3rd, Gold and Silver avenues, Main Street (Division to McKinley), W. Portland Avenue, East and West Market Avenue, Mill Avenue, alleys between 2nd and Main and between 3rd and Gold, Kellogg Avenue, Presley Avenue, O'Connor. And then between Portland to Station fog seal S. Elm, Oak, Thorn and Fir streets.

Chip seal: Hill and McKinley to Kellogg City Hall, S. Division 4th to S. CDA River, Station (S. Division to E. Portland), E. Portland (S. Division to City Shop), Bunker Avenue, (Hill Street to Wildcat Way), Cameron, (Bunker to Hill Street), N. Hill (Cameron to Mission).

Councilmember Douglas stated we want to get the longest life for the roads. The City has been collecting Local Option Tax to be used for the maintenance of our roads. This will be a good to get this maintenance completed.

Panhandle Area Council request for 2021 Membership Dues

It was moved by Councilmember Armstrong and seconded by Councilmember Douglas to process the membership dues in the amount of \$263.60.

Motion carried.

Kellogg City Library & Friends of the Library Memorandum of Agreement (MOA)

Councilmember Moody advised the Council the library board voted on this last evening and it was approved, a copy of the fully executed agreement will be submitted to the City.

No action is necessary on this by Council.

Alta Modification to LOMR Task Order

It was moved by Councilmember Armstrong and seconded by Councilmember Douglas to extend the task order through December 2021, as submitted.

A roll call of the Council showed the following:

| | | | |
|-----------------------|-------|-------------------------|-------|
| Councilmember Norris | "Aye" | Councilmember Delcamp | "Aye" |
| Councilmember Moody | "Aye" | Councilmember Armstrong | "Aye" |
| Councilmember Mercado | "Aye" | Councilmember Douglas | "Aye" |

Motion carried.

Activity Request submitted by Radio Brewery for Block Party

Radio Brewery is requesting a block party scheduled for October 2, 2021 along with the half marathon.

Mr. Helkey had met with the organizers and has reviewed the self-distancing plan and the organizers have agreed to stay in touch with Panhandle Health District. Mr. Helkey recommends that the organizer check back with the City in August and September to seek where we are at with the COVID-19 pandemic.

Councilmember Douglas inquired on the request for police presence at this event. Chief Dave Wuolle advised with this event his department will not need additional assistance due to the event being not a multi-day event and people will be coming and going and if his department is fully staffed at that time his department could provide police presence.

It was moved by Councilmember Douglas and seconded by Councilmember Moody to tentatively approve the request with the need to monitor COVID 19 conditions and revisit at the August and September council meetings.

Motion carried.

Activity Request submitted by SV Chamber for the 3 on 3 Basketball

This event is scheduled for July 23-25, 2021. Chief Wuolle advised the Council the organizers are anticipating 2,000 people. If he has a full staff there should not be an issue unless there are problems that occur on the court. At that time additional security will be needed.

Mr. Helkey has reviewed the distancing plan, and stated it is very detailed. Any approval may be considered with a contingency dependent on the COVID 19 conditions.

It was moved by Councilmember Douglas and seconded by Councilmember Moody to tentatively approve the activity request, requiring written addendum from the organizer to provide an additional four staffed security persons over the age of 18 for Saturday and Sunday, with the need to monitor COVID 19 conditions and revisit at the June council meeting.

Motion carried.

Activity Request submitted by Kellogg Rotary for the Leadman Triathlon

The activity request has been reviewed. The event is scheduled for April 17, 2021. Mr. Helkey stated the organizers have a good plan attached. The event will be spread out naturally because of what the event is.

It was moved by Councilmember Douglas and seconded by Councilmember Norris to approve with the recommendation by Andy Helkey, as their distancing plan for the April 2021 event will work.

Motion carried.

ANNOUNCEMENTS AND REPORTS

Councilmember Douglas

Looking forward to the new system to conduct council meetings.

Councilmember Armstrong

Chairing the Leadman, and it is nice to see outside activities starting to happen.

Councilmember Norris

Thanked those who are plowing.

Councilmember Delcamp

Looking forward to the new system to be completed for council meetings.

Mayor Pooler

Appreciates everyone's assistance. A special thank you to Andy Helkey in assisting the Council throughout the Covid pandemic.

There being no further business to come before the Council at this time, it was adjourned at 6:55 P.M. to meet for the regular time of March 10, 2021.

Mac Pooler, Mayor

ATTEST:

Nila Jurkovich, City Clerk/Treasurer

